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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,241	08/31/2000	Gregory L. Slaughter	5181-67100	4521
	7590	02/05/2004	EXAMINER	
Robert C Kowert Conley Rose & Tayon PC P O Box 398 Austin, TX 78767-0398			LEZAK, ARRIENNE M	
			ART UNIT	PAPER NUMBER
			2143	6

DATE MAILED: 02/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/653,241	Applicant(s) SLAUGHTER ET AL.	
	Examiner Arrienne M. Lezak	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>395</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 12 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 5,963,947 to Lehman. Regarding Claims 1, 12 and 23, Lehman ('947) discloses a method, system and carrier medium comprising:

Accessing a first space, wherein the first space comprises a first network-addressable storage location, wherein information usable to access the first space is provided in an advertisement for the first space, wherein the advertisement for the first space comprises a first schema, and wherein the first schema specifies one or more messages usable to invoke functions of the first space, (Col. 9, lines 34-40);

A requesting client requesting creation of a second space by sending to the first space one of the messages specified by the first schema, (Col. 9, lines 34-46);

Creating the second space in response to the requesting client requesting creation of the second space, wherein the second space is initially configured to permit access only to the requesting client, wherein the second space comprises

a second network-addressable storage location, wherein information usable to access the second space is provided in an advertisement for the second space, wherein the advertisement for the second space comprises a second schema, and wherein the second schema specifies one or more messages usable to invoke functions of the second space, (Col. 9, lines 43-46); and

The requesting client accessing the second space by sending to the second space one of the messages specified by the second schema, (Col. 9, lines 43-46).

3. Therefore, this reference may be read to teach or describe every element or claim limitation of Claims 1, 12 and 23.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5-12, 16-23 and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,974,420 to Lehman in view of US Patent 5,963,947 to Lehman.

6. Regarding Claims 1, 5, 9-12, 16, 20-23, 27 and 31-33, Lehman ('420) discloses a method, system and carrier medium comprising:

Accessing a first space, wherein the first space comprises a first network-addressable storage location, wherein information usable to access the first space is provided in an advertisement for the first space;

A requesting client requesting creation of a second space; and

Creating the second space in response to the requesting client requesting creation of the second space, wherein the second space is initially configured to permit access only to the requesting client, wherein the second space comprises a second network-addressable storage location, wherein information usable to access the second space is provided in an advertisement for the second space, (Col.8, lines 61-67 and Col. 9, lines 1-48).

7. While Lehman ('420) does disclose the fact that different computer programming languages could be substituted for those described, (Col. 9, lines 10-14), Lehman ('420) does not disclose the specific use of XML with TSpaces, nor does Lehman ('420) specifically disclose the invocation of functionalities from Claims 1, 5, 9-12, 16, 20-23, 27 and 31-33:

a first address space, wherein the advertisement for the first space comprises a first schema, and wherein the first schema specifies one or more messages usable to invoke functions of the first space;

a requesting client requesting creation of a second space by specifically sending to the first space one of the messages specified by the first schema;

a second client, wherein the advertisement for the second space comprises a second schema, and wherein the second schema specifies one or more messages usable to invoke functions of the second space; and
a requesting client accessing the second space by sending to the second space one of the messages specified by the second schema.

8. Lehman ('947) discloses the specific use of TSpaces, which dynamically invoke functionalities, (Col. 9, lines 34-46). To add an aspect of optional functionalities to the Lehman ('420) TSpaces would have been obvious to one of ordinary skill in the art at the time of invention by Applicant, as the TSpace provides a powerful mechanism for inter-process communication and synchronization. As noted within Lehman ('420), such a mechanism is the crux of parallel and distributed processing, (Col. 2, lines 3-11). Further, such a mechanism would obviously include functions for communication and synchronization.

9. To combine XML with TSpaces would have been obvious to one of ordinary skill in the art at the time of invention by Applicant as noted within Lehman ('420). The motivation to combine the XML with TSpaces is noted within Lehman ('420) wherein the use of different computer languages is recognized as possible, (Col. 9, lines 10-14). Further, as XML was in existence at the time of invention by Applicant, the use of the same as a programming language would have been obvious. Therefore, Claims 1, 5, 9-12, 16, 20-23, 27 and 31-33 are unpatentable over the combined teachings of Lehman ('420) in view of Lehman ('947).

10. Claims 7, 8, 18, 19, 29 and 30 are also rejected on the basis that Lehman ('420) teaches the use of different computer languages, (Col. 9, lines 10-14), and as noted herein above. Therefore, Claims 7, 8, 18, 19, 29 and 30 are also unpatentable over the combined teachings of Lehman ('420) in view of Lehman ('947).

11. Regarding Claims 6, 17 and 28, further consideration of Lehman ('420) in view of Lehman ('947) implies the need for a means of distinguishing one operator location from another. The use of Uniform Resource Identifiers (URI) for this purpose would have been obvious to one of ordinary skill in the art at the time of invention by Applicant as an obvious means by which operator locations are defined. The motivation to use URIs is noted within both Lehman patents, within the claims, which note the receipt of information at the respective operators. In order to receive information, the operators would inherently need a means by which to be located, and thus the use of URIs is inherent and obvious. Therefore, Claims 6, 17 and 28 are also unpatentable over the combined teachings of Lehman ('420) in view of Lehman ('947).

12. Claims 2-4, 13-15 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,974,420 to Lehman in view of US Patent Pub. US 2002/0133412 A1 to Oliver. Lehman ('420) and Lehman ('947) are relied upon for their teachings as noted herein above.

13. Regarding Claims 2, 13 and 24, although Lehman ('420) discloses a security means, (Col. 9, lines 3-8), Lehman ('420) does not specifically teach the use of Authentication root tokens. Oliver ('412) teaches creating a root authentication token and initializing that authentication service whereby the root authentication token is

needed for client access, (Oliver – paragraph ## 0125, 0126, 0368-0373 and Claim 1 (a-f)).

14. To incorporate the specific security means of an authentication token into the Lehman ('420) TSpace information operator would have been obvious to one of ordinary skill in the art at the time of invention by Applicant as the use of Tspaces, (generally and within Lehman ('420)), includes a form of access control security means. Therefore, Claims 2, 13 and 24 are unpatentable over the combined teachings of Lehman ('420) in view of Oliver ('412).

15. Regarding Claims 3, 4, 14, 15, 25 and 26, these claims are also rejected in light of the teachings and motivation of Claims 1, 2, 12, 13, 23 and 24 as disclosed herein above as they refer to the use and manipulation of security measures including, but not limited to, authentication means. As noted above, relative to Claims 2, 13 and 24, the Tspaces include an access control feature. Therefore, Claims 3, 14 and 25 are also unpatentable over the combined teachings of Lehman ('420) in view of Oliver ('412).

16. Claims 1-33 are further rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,974,420 to Lehman in view of US Patent 5,963,947 to Lehman and in further view of "IBM Systems Journal, Volume 37, No. 3" by Wyckoff, McLaughry, Lehman and Ford, 1998. Lehman ('420) and Lehman ('947) are relied upon for their teachings as noted herein above.

17. As noted above Lehman ('420) and Lehman ('947) disclose every claim limitation with the exception of the incorporation of XML, (which as noted above, would have been obvious), and the inclusion of a security means. The Wyckoff IBM Systems Journal

entry specifically enumerates the salient features of the TSpace system, among which are access controls which may include, but are not limited to security policies, (Wyckoff – P.7, "Tspaces overview section"). Such security policies would include those specifically enumerated by Applicant, as noted herein above. Thus, Claims 1-33 are further unpatentable over the combined teachings of Lehman ('420) in view of Lehman ('947) and in further view of Wyckoff et al.

Information Disclosure Statement

18. The information disclosure statements filed August 16, 2001 and September 17, 2001 fail to comply with 37 CFR 1.98(a) (1), which requires a list, (Form PTO-1449), of all patents, publications, or other information, submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent US 6,292,186 B1 to Lehman.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (703)-305-0717. The examiner can normally be reached on M-F 8:30-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (703)-308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703)-305-3718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-6121.

Arrienne M. Lezak
Examiner
Art Unit 2143

AML



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